

RESOLUTION NO. 2016-73

AMENDING CHAPTER 1088, "ARTS IN TRANSIT PROGRAM POLICY," OF
THE CODIFIED RULES AND REGULATIONS OF THE GREATER CLEVELAND
REGIONAL TRANSIT AUTHORITY

WHEREAS, pursuant to Resolution No. 1989-176, the Board of Trustees the Authority codified the resolutions establishing its policies and procedures; and

WHEREAS, over the years, many of the resolutions have been amended; and

WHEREAS, at the present time, the Authority deems it necessary to review, revise and update the codified rules and regulations; and

WHEREAS, the Authority has conducted a review and determined that certain portions of Chapter 1088, "Arts in Transit Program Policy," must be revised.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority, Cuyahoga County, Ohio:

Section 1. That Section 1088.01 is hereby amended to read as follows:

1088.01 PURPOSE AND SCOPE.

The purpose of this policy is to guide the activities of a public art program within the Authority. This policy incorporates all forms of art media as they impact the Authority's public transportation system.

Section 2. That Section 1088.02 is hereby repealed.

Section 3. That Section 1088.03 is renumbered as 1088.02 and amended to read as follows:

1088.02 POLICIES; ART PROJECTS.

(a) Visual, functional, performing and landscape art will be incorporated into as many Authority facilities, as is possible. This includes, but is not limited to, rail stations, passenger facilities, operating facilities and passenger vehicles.

(b) All art projects will be undertaken with the cooperation of the local arts community and the neighborhood surrounding any fixed facility being considered.

(c) Selection processes that ensure fair practices among art entries and reviews will be used for all Authority public art projects.

(d) Any art project or artistic treatment undertaken pursuant to this policy will become the sole property of the Authority.

(e) The public art installations shall meet all safety standards as established by the Authority.

Section 4. That Section 1088.04 is renumbered as 1088.03 and amended to read as follows:

1088.03 IMPLEMENTATION; COMMITTEE.

(a) The CEO, General Manager/Secretary-Treasurer will administer an Arts in Transit Program within the Authority.

(b) Committee.

- (1) The CEO, General Manager/Secretary-Treasurer will designate a committee ("Committee") of individuals with interest and expertise in the arts and humanities.
- (2) Committee members will be asked to donate their time and will be paid for travel and out-of-pocket expenses consistent with established Authority policies and procedures.

Section 5. That Section 1088.05 is renumbered as 1088.04 and amended to read as follows:

1088.04 BUDGET.

Staffing, administration and material costs of the Arts in Transit Program will be determined through the established Authority budgeting process.

Section 6. That Sections 1088.06 and 1088.07 are hereby repealed.

Section 7. That Section 1088.08 is hereby renumbered as 1088.05 and amended to read as follows:

1088.05 CONFLICTS OF INTEREST.

(a) Any participant taking part in an Authority public art project, including program development, project process, focus group sessions, proposal review, or jury selection, are ineligible to submit entries on Authority public art projects.


(b) All paid and non-paid artists participating in focus groups or final design sessions for identifying public art opportunities, types of mediums and developing project criteria are ineligible for submitting entries for art projects supported by their assistance during project development.

(c) Committee members and sub-committee members are ineligible to submit entries for public artwork on projects supported by their assistance during project development. Current Committee members desiring to submit artwork for any Authority public art project must resign


from the Committee for the duration of the project process. Committee members can resubmit an application for membership reconsideration six months after project completion.

Section 8. That this resolution shall become effective immediately upon its adoption.

Adopted: August 16, 2016



President

Attest: 

CEO, General Manager/Secretary-Treasurer



TITLE/DESCRIPTION: AMENDING CHAPTER 1088, "ARTS IN TRANSIT PROGRAM POLICY," OF THE CODIFIED RULES AND REGULATIONS OF THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY	Resolution No.: 2016- 73
	Date: August 11, 2016
	Initiator: Legal
ACTION REQUEST: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____	

- 1.0 PURPOSE/SCOPE: This resolution will amend Chapter 1088 of the Codified Rules and Regulations ("Code") of the Greater Cleveland Regional Transit Authority.
- 2.0 DESCRIPTION/JUSTIFICATION: The Policies and Procedures of the Board of Trustees were codified in 1989, pursuant to Resolution 1989-176. The code book has been updated periodically. It is now time for a comprehensive review and update so that the updated Code will conform to the current structure and operations of the Authority.

Chapter 1088 is being amended to clarify the Authority's policy in administering and executing an Arts in Transit program.
- 3.0 PROCUREMENT BACKGROUND: Does not apply.
- 4.0 AFFIRMATIVE ACTION/DBE BACKGROUND: Does not apply.
- 5.0 POLICY IMPACT: Adoption of the resolution will result in a clear, accurate and current policy.
- 6.0 ECONOMIC IMPACT: Does not apply.
- 7.0 ALTERNATIVES: Not adopting this resolution. Not adopting this resolution would result in Chapter 1088 remaining out of date.
- 8.0 RECOMMENDATION: It is recommended that this resolution be adopted.
- 9.0 ATTACHMENTS: Redline copy of revisions to Chapter 1088.

Recommended and certified as appropriate to the availability of funds, legal form and conformance with the Procurement requirements.



 CEO/General Manager/Secretary-Treasurer

CHAPTER 1088
Arts in Transit Program Policy

1088.01 Purpose and scope.

~~1088.02 Objectives.~~

~~1088.03~~ Policies; art projects.

~~1088.04~~ Implementation; Arts in Transit Committee.

~~1088.05~~ Budget.

~~1088.06 Maintenance.~~

~~1088.07 Safety.~~

~~1088.07~~ 1088.05 Eligibility requirements/conflicts of interest.

CROSS REFERENCES

Approval of projects for acquisition, construction, and improvement of facilities and equipment, and payment of operating expenses; terms and conditions; regulations - see 49 U.S.C.A. 1604(d)

Bus passenger shelter program policy - see SERV. 1016.05; Ch. 1062

1088.01 PURPOSE AND SCOPE.

The purpose of this policy is to guide the activities of a public art program within the Authority. This policy incorporates all forms of art media as they ~~impact~~ impact the Authority's public transportation system, ~~rail, bus and paratransit services and facilities.~~

(Res. 1991-172. Passed 8-20-91. ~~Res. 2016-XXX. Passed 8-XX-16.~~)

~~1088.02 OBJECTIVES.~~

~~The objectives of the Arts in Transit Program are to:~~

- ~~(a) Increase transit usage by making the transit system a more attractive and pleasing place to be.~~
- ~~(b) Make a positive contribution to the quality of life in the neighborhoods served by transit facilities and in the community as a whole.~~
- ~~(c) Increase the public's pride in and regard for the public transportation system. (Res. 1991-172. Passed 8-20-91.)~~

~~1088.03~~ 02 POLICIES; ART PROJECTS.

(a) Visual, functional, performing and landscape art will be incorporated into ~~all as many~~ Authority facilities, as is possible. This includes, but is not limited to, rail stations, ~~passenger facilities.~~ operating facilities and passenger vehicles.

(b) All art projects will be undertaken with the cooperation of the local arts community and the neighborhood surrounding any fixed facility being considered.

~~(c) Selection processes that ensure fair practices among art entries and reviews will be used for all Authority public art projects.~~

~~(e) Art projects will be considered part of the construction budget for all new~~

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~~facilities. Art projects which are part of a newly constructed facility will be designated so as to equal at least one percent of the total costs of construction for the facility unless funding from a source beyond the Authority's resources is located. Budgets for projects at existing facilities will be determined on an individual basis.~~

~~(d) Any art project which is designed as a permanent part of a fixed facility will include a maintenance program with projected costs. The complexity and cost of maintaining public art will be a key consideration for the approval of any art project.~~

(ed) Any art project or artistic treatment undertaken pursuant to this policy will become the sole property of the Authority.

(e) The public art installations shall meet all safety standards as established by the Authority. (Res. 1991-172. Passed 8-20-91; Res. 2002-184. Passed 11-18-02. Res. 2016-XXX. Passed 8-XX-16.)

1088.0403 IMPLEMENTATION; ARTS IN TRANSIT COMMITTEE.

~~(a) Establishment of Arts in Transit Program. The CEO, General Manager/Secretary-Treasurer is hereby directed to develop the appropriate mechanism to administer will administer an Arts in Transit Program within the Authority. This includes a system for cataloging, documenting and registering all pieces of art according to acceptable museum standards, establishing appropriate contracting procedures and providing staff support for the Arts in Transit Committee.~~

(b) Arts in Transit Committee.

~~(1) The CEO, General Manager/Secretary-Treasurer is hereby directed to organize an Arts in Transit Committee will designate a committee ("Committee") consisting of a cross-section of Greater Cleveland area residents individuals with interest and expertise in the arts and humanities. The Board of Trustees is encouraged to make recommendations for Committee members. Selection of members will be made by the CEO, General Manager/Secretary-Treasurer for approval by the Board of Trustees. The role of the Committee will be as follows:-~~

- ~~A. In cooperation with Authority staff, develop guidelines for the Arts in Transit Program, including criteria for artist selection and standards of quality for any art project.~~
- ~~B. Overseeing the art selection process, including the selection of artists, review of art proposals and selection of final art projects. All Committee selected art projects will be subject to review and approval by the General Manager/Secretary-Treasurer.~~
- ~~C. Developing community panels to aid in the selection of any project designed around an Authority facility.~~
- ~~D. Compiling an annual art plan, including any exhibits, visual, functional and performing art projects.~~
- ~~E. Recommending supplemental sources of funds for art projects consistent with the objectives and provisions of this policy.~~
- ~~F. Resolving disputes with artists.~~

~~G. Providing recommendations for the removal of any art project(2)~~

~~Committee members will be asked to donate their time and will be paid for travel and out-of-pocket expenses consistent with established Authority policies and procedures.~~

~~(Res. 1991-172. Passed 8-20-91; Res. 2002-184. Passed 11-18-02.~~

~~Res. 2016-XXX. Passed 8-XX-16.)~~

~~1088.05-04 BUDGET.~~

~~Staffing, administration and material costs of the Arts in Transit Program will be determined through the established Authority budgeting process. Staff is hereby directed to evaluate all planned construction projects for potential inclusion of an art element, either as a part of the finished construction project or as a construction mitigation activity. (Res. 1991-172. Passed 8-20-1991. Res. 2016-XXX. Passed 8-XX-16.)~~

~~1088.06 MAINTENANCE.~~

~~All public art installations shall be easily maintained at low cost to the Authority. Staff is directed to ensure that any piece of art established as a permanent part of any Authority facility is accompanied by a detailed maintenance program with long term cost projections.~~

~~(Res. 1991-172. Passed 8-20-91; Res. 2002-184. Passed 11-18-02.)~~

~~1088.07 SAFETY.~~

~~The public art installations shall meet all safety standards as established by the Authority.~~

~~(Res. 2002-184. Passed 11-18-02.)~~

~~1088.08-06 ELIGIBILITY REQUIREMENTS/CONFLICTS OF INTEREST.~~

~~(a) All public art projects undertaken by the Authority will be in conformance with all eligibility requirements and policies set forth to ensure that fair practices among art entries, reviews and selection processes occur.~~

~~(b) Such public art processes shall be utilized throughout all Authority public art projects and programs.~~

~~(c) Eligibility requirements shall include participants assisting the Authority to meet its public art goals throughout project development, proposal review and selection processes.~~

~~(d) Participants are defined as Arts in Transit members, public art consultants, final design consultants, sub-consultants from associated project design and public art firms, Authority employees, public art committee members or volunteers, paid artists or any person paid or unpaid, participating in the project development, or persons having prior knowledge of specific project and selection criteria, before advertising call to artist.~~

~~(ea) Any participant taking part in an Authority public art project, including program development, project process, focus group sessions, proposal review, or jury selection are ineligible to submit entries on Authority public art projects.~~

(fb) All paid and non-paid artists participating in focus groups or final design sessions for identifying public art opportunities, types of mediums and developing project criteria are ineligible for submitting entries for art projects supported by their assistance during project development.

(gc) ~~Arts in Transit~~Committee members and sub-committee members are ineligible to submit entries for public artwork on projects supported by their assistance during project development. _

(h) ~~Current Arts in Transit committee~~Committee members desiring to submit artwork for any Authority public art project, must resign from the ~~Arts in Transit~~ Committee for the duration of the project process. ~~Arts in Transit~~Committee members can resubmit an application for ~~Committee membership~~ reconsideration six months after project completion.

(i) ~~All participants will be responsible for signing a confidentiality and disclosure agreement to insure all project criteria, reviews and selection processes are kept in strict confidence throughout the duration of the project development, review, negotiation and selection.~~

(Res. 2002-184. Passed 11-18-02. Res. 2016-XXX. Passed 8-XX-16.)

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